

I. INTRODUCTION

- A. Purpose: To provide the minimum State requirements and this Department's recommendations for criteria which should be included in a city ordinance which permits the sale of, "Safe and Sane" fireworks.

NOTE: The actual city ordinance shall govern except for the requirements of the Health and Safety Code and the California Code of Regulations, Title 19, which are minimum standards.

- B. Scope: This regulation shall apply to all individuals and organizations which propose to, or are operating fireworks stands.
- C. Author: The Deputy Chief of the Prevention Services Bureau through the Assistant Fire Chief (Fire Marshal) of the Fire Prevention Division is responsible for the content, revision and periodic review of this regulation.
- D. Authority:
1. Health and Safety Code, State of California (H.S.C.)
 2. California Code of Regulations, Title 19 (T19).

II. RESPONSIBILITY

- A. All personnel shall enforce the minimum State requirements contained herein and the applicable city ordinances.

III. POLICY

- A. The standards and recommendations contained herein provide a certain margin of safety for the operation and construction of fireworks stands. This Department will strictly enforce all State requirements and all recommendations adopted by city ordinance.

IV. PROCEDURES

A. Licenses and Permits:

1. Secure State license for sale of fireworks from the State Fire Marshal prior to June 15th. H.S.C. 12599
2. Apply for, and secure permit from the governing body of the city ten days before sales open. H.S.C. 12643

B. Sales Period: Sale of fireworks is permitted from 12 noon of June 28th to 12 noon of July 6th of each year. H.S.C. 12599

1. Check with city allowing sales for specific days.
2. Unsold fireworks shall be returned to the wholesaler from whom they were purchased no later than July 31st.

C. Basic Requirements: All packages of fireworks must bear the State Fire Marshal classification label and licensee's registration number, and shall be marked "Safe and Sane"; otherwise they may be seized by the enforcing agency or the State Fire Marshal. H.S.C. 12568

1. There shall be at least one supervisor, 21 years of age or older on duty at all times. A sign shall be posted on the wall of the stand stating "ONLY PERSONS 18 YEARS OF AGE ARE ALLOWED INSIDE THE STAND AT ANY TIME".
2. Fireworks stands containing fireworks shall be guarded at all times. However, no person shall sleep or remain inside of the stand when it is not open for business.
3. No person shall sell or handle fireworks while under the influence of intoxicating liquids or narcotics. Title 19, Section 991.5

D. Location of Stands: Fireworks stands shall be located at least 25 feet from all buildings with a fire resistance of less than one hour and shall be set back at least 15 feet from curb lines. Each stand shall be located with at least 10 feet clear of clear area in every direction. Vehicles used for sleeping (trailers, campers, etc.) shall be at least 25 feet from any stand.

1. Stands shall be located at least 100 feet from any storage or use of flammable or combustible liquids. H.S.C. 12679
 2. All dry grass and weeds must be cleared for a distance of 25 feet.
- E. Construction of Stands: Stands shall be of wood or metal construction and built with a solid roof, rear walls and ends. No stand shall have a floor area in excess of 400 square feet. No stand shall be constructed with a depth of more than 12 feet. The front shall be of solid wood or metal three feet in height from ground level to the display shelf. The display shelf shall have a panel of unbreakable glass or ¼-inch wire mesh screen a minimum of 18 inches in height between the public and the display of fireworks.
1. Exits of at least 36 inches in width shall be provided at both ends of the structure. For stands in excess of 24 feet in length, an exit door shall be provided within a travel distance of no more than 12 feet. Exit aisles of at least 36 inches in width shall be maintained free of obstructions at all times. Exit doors shall open outward from the stand.
 2. Smoking is prohibited and "NO SMOKING" signs with letters not less than three inches in height shall be prominently displayed inside and outside of the structure. Title 19, Section 991.4.
 3. Signs with minimum three-inch letters shall be posted stating "FIREWORKS SHALL NOT BE SOLD TO PERSONS UNDER 16 YEARS OF AGE". H.S.C. 12689
 4. Each stand shall be provided with a minimum of two 2-1/2 gallon water-type fire extinguishers that have been serviced and bear a State Fire Marshal's certification tag within the past 12 months. Extinguishers shall, at all times, be accessible in case of fire. Each person who shall work in the firework stand shall be familiar with the use and operation of extinguishers in the case of an emergency.
 5. When 12-volt electrical installations are provided in fireworks stands, all wiring inside the booth shall run in approved raceways and enclosed fixtures shall be provided for lights. The battery shall be in an enclosure to protect it from any physical damage.
- F. Removal of Stands and Debris: The premises shall be cleared of all structures and debris within 72 hours after midnight on July 4th and shall be done to the satisfaction of the Department.